

**AUG 01 2006**

**CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS**

**NOT FOR PUBLICATION**  
**UNITED STATES COURT OF APPEALS**  
**FOR THE NINTH CIRCUIT**

SARA BARGAS-MARTINEZ; et al.,

Petitioners,

v.

ALBERTO R. GONZALES, Attorney  
General,

Respondent.

No. 05-75911

Agency Nos. A75-499-465  
A75-499-472

MEMORANDUM\*

On Petition for Review of an Order of the  
Board of Immigration Appeals

Submitted July 24, 2006\*\*

Before: ALARCÓN, HAWKINS, and THOMAS, Circuit Judges.

Sara Bargas-Martinez and Margarito Roman-Rios, natives and citizens of  
Mexico, petition for review of the Board of Immigration Appeals' ("Board")

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\* This disposition is not appropriate for publication and may not be  
cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously finds this case suitable for decision without  
oral argument. *See* Fed. R. App. P. 34(a)(2).

denial of their motion to reopen removal proceedings. We have jurisdiction pursuant to 8 U.S.C. § 1252.

The Board considered the evidence petitioners submitted concerning their sons' newly diagnosed psychological conditions and acted within its broad discretion in determining that the evidence was insufficient to warrant reopening. *See Singh v. INS*, 295 F.3d 1037, 1039 (9th Cir. 2002) (The BIA's denial of a motion to reopen shall be reversed only if it is "arbitrary, irrational or contrary to law."). Petitioners' contention that the Board deprived them of due process by failing to consider the evidence cumulatively is not supported by the record.

**PETITION FOR REVIEW DENIED.**